

REMARKS

Claims 1-77 remain pending in this application. Claims 1, 7, 29, 47, 50, and 62 are independent. Claims 1, 7, 17, 24, 29, 36, 42, 47, 49, 51, 58, 62, 67, and 73 have been amended in response to the Examiner's assertion of indefiniteness. No new matter is involved with any claim amendment.

Objection to the Claims

Withdrawal of the objection to claims 1-77 under 37 C.F.R. § 1.75(a) is requested. Claims 1, 7, 17, 24, 29, 36, 42, 47, 49, 51, 58, 62, 67, and 73 have been amended in a manner that is believed to overcome the stated bases for objection.

For example, the above-mentioned claims have been variously amended to replace the article "the" with "a", where such substitution is deemed appropriate.

Further, the Examiner continues his objections by variously asserting that "... it is unclear from the claim as to how the [status or position or wobble length numbers] of the wobble signal is recognized, monitored, determined or detected so that a physical mark indicator according to such status designates one of at least two signal process criteria to process the matched signal."

It appears that the Examiner has confused the breadth of the various independent claims with an asserted lack of clarity, presented as a petitionable claim objection. It is long-held in the Patent Law that the claims need not include, and preferably omit structure and steps that would be "known" to persons of ordinary skill in the art, particularly in light of Applicants' disclosure, and also in light of the transitional phrase in the claims of "comprising".

In particular, Applicants point out that the status of the wobble signal may be determined by conventional techniques that are known to persons of ordinary skill in the art, as discussed, for example, at paragraph [0005] of Applicants' specification. Therefore, such conventional details need not be included in the claims, and are preferably omitted from the recitations.

Applicants submit that determining the wobble signal status and related parameters does not represent the novel and non-obvious aspects of Applicants' claimed invention. However, once one or more of the conventional wobble signal related parameters (e.g., wobble status, wobble length numbers, or position of the wobble signal) have been determined by known means, Applicants' disclosed and claimed invention then operates on this conventionally known and obtained information in a novel and non-obvious manner, as disclosed in the Specification and as recited in the pending claims.

Withdrawal of the objection and allowance of claims 1-77 are respectfully requested.

Allowable Subject Matter

Applicants note with appreciation that independent claim 50 has been allowed, and that claims 1-49 and 51-77 are drawn to allowable subject matter, and would be allowed if the objection to the claims under 37 C.F.R. § 1.75(a) is overcome.

In view of the above amendment and remarks, Applicants believe that the objections have been rendered moot, and that the pending application is in immediate condition for allowance.

Applicants believe that no fees are due with this response. However, for any fee that is due, including fees for extensions of time, please charge CBLH Deposit Account No. 22-0185, under Order No. 22171-00019-US2 from which the undersigned is authorized to draw.

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Respectfully submitted,

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